Docket No. 03560.003429 Date: August 22, 2008

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

For: IMAGE SCANNING APPARATUS HAVING A SCANNING POSITION ADJUSTMENT

In re Application of: Daisuke ISHIZUKA
Application No.: 10/763,165

CAPABILITY
Filed: January 26, 2004
Group Art Unit: 2625
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
Sir:
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision
dated February 22, 2008, of the Primary Examiner finally rejecting claims 3, 8, 10, 12, 13, 24, 30, 41,
49 and 50.
The item(s) checked below are appropriate.
1. \overline{X} A Petition for a three (3) month extension of time to respond to the final rejection, together with the $\$1,050.00$ extension fee under 37 C.F.R. $\$1.17$, is being filed concurrently herewith.
2. A Petition for an additional month extension of time to take further action, together with the \$ extension fee under 37 C.F.R. §1.17, was filed on
3. X Fee \$510.00
Fee \$255.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
X Enclosed (being paid electronically)
Not required (fee paid in prior appeal)
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Charge to Deposit Account No. enclosed herewith)	06-1205 (One additional copy of this Notice	
4. X Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 to 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.		
5. X Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.		
	Respectfully submitted,	
	Steven E. Warner Attorney for Applicant Registration No.: 33,326	
FITZPATRICK, CELLA, HARPER & SCINTO 30 Rockefeller Plaza New York, New York 10112-3800 Facsimile: (212) 218-2200		